FARAD CONTINUATION SHEET NO.:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Family Court Appeal No.119 of 2005
With
Family Court Appeal (St.) No.20425 of 2005

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.R.R. Bhonsale for appellant.

CORAM : H.L GOKHALE &
SMT.R.S.DALVI, JJ.
DATED : 26th September 2005

P.C. :

1. Heard Mr.Bhonsale in support of both the above Appeals.

2. These two Appeals challenge the common order dated 29th June 2005 passed in Petition No.A/203 of 2004 filed by the appellant-husband seeking restitution of conjugal rights and Petition No.E/284 of 2004 filed by the respondent-wife seeking maintenance. The learned Family Court Judge dismissed the husband's Petition for conjugal rights and awarded an amount of Rs.2,500/- to the respondent-wife

and her son together.

3. As far as the restitution is concerned, surely, the same cannot be forced on to the respondent, particularly in the circumstances of the case when the appellant has re-married.

4. As far as the claim for maintenance is concerned, the learned Judge of the Family Court has recorded that the appellant stays in a flat in the creamy locality of the city and has a flourishing footwear business. The amount of Rs.2,500/- is certainly not the amount in which we should interfere. Both the Appeals are, therefore, dismissed.

(H.L.GOKHALE, J.)

(SMT.R.S.DALVI, J.)